

IN THE CLAIMS:

Please amend the claims as follows.

*included*  
[c1] (Currently Amended) An orthopedic appliance, comprising a wedge for placement beneath a toe, forward of the center of a first metatarsal, having a first upper surface disposed between a first end and an apex, a second upper surface, disposed between the apex and a second end, wherein the first upper surface is separated from a lower planar surface by an angle of inclination between 1 and 60 degrees in a direction substantially parallel to a medial column of the foot, whereby a distal end of a proximal phalanx is raised with respect to a distal end of the first metatarsal.

*C*  
[c2] (Original) The orthopedic appliance of claim 1, wherein the angle of inclination is between 1 and 20 degrees.

[c3] (Withdrawn) The orthopedic appliance of claim 1, wherein the wedge is formed integrally as a part of a piece of footwear.

[c4] (Withdrawn) The orthopedic appliance of claim 1, wherein the wedge comprises an elastomeric material.

[c5] (Withdrawn) The orthopedic appliance of claim 1, wherein the wedge comprises a material selected from the group consisting of cork, leather, resilient foam, and thermoplastic material.

[c6] (Withdrawn) The orthopedic appliance of claim 1, wherein a concave depression is formed in the first and second upper surfaces.

[c7] (Withdrawn) The orthopedic appliance of claim 1, further comprising at least one fastener.

- [c8] (Withdrawn) The orthopedic appliance of claim 7, wherein at least one fastener comprises a plurality of bands disposed adjacent the first and second upper surfaces.
- [c9] (Withdrawn) The orthopedic appliance of claim 7, wherein the at least one fastener comprises a sheath disposed adjacent the first and second upper surfaces.
- [c10] (Withdrawn) The orthopedic appliance of claim 1, wherein a valgus angled grade, between 1 and 45 degrees, is formed in the second upper surface.
- [c11] (Withdrawn) The orthopedic appliance of claim 10, wherein a valgus angled grade, between 1 and 45 degrees, is formed in the first upper surface.
- [c12] (Withdrawn) The orthopedic appliance of claim 11, wherein a concave depression is formed in the first and second upper surfaces.
- [c13] (Withdrawn) The orthopedic appliance of claim 1, wherein a varus angled grade, between 1 and 45 degrees, is formed in the second upper surface.
- [c14] (Withdrawn) The orthopedic appliance of claim 13, wherein a varus angled grade, between 1 and 45 degrees, is formed in the first upper surface.
- [c15] (Withdrawn) The orthopedic appliance of claim 14, wherein a concave depression is formed in the first and second upper surfaces.
- [c16] (Withdrawn) The orthopedic appliance of claim 1, further comprising a convex contour along a medial edge.
- [c17] (Withdrawn) The orthopedic appliance of claim 16, further comprising a concave contour along a lateral edge.

[c18] (Withdrawn) The orthopedic appliance of claim 16, further comprising a convex contour along a lateral edge.

[c19] (Withdrawn) The orthopedic appliance of claim 16, further comprising a serpentine contour along a lateral edge.

[c20] (Withdrawn) The orthopedic appliance of claim 1, further comprising an angled grade disposed along a lateral edge.

[c21] (Previously Presented) An apparatus for orthopedic treatment, comprising:

a first upper surface adapted to support a proximal phalanx;

a second upper surface adapted to support a distal phalanx;

a bottom surface; and

a support which maintains the proximal phalanx at an angle of inclination between the first upper surface and the bottom surface, relative to a first metatarsal.

forward

[c22] (Original) The apparatus of claim 21, wherein the angle of inclination is between 1 and 60 degrees.

[c23] (Original) The apparatus of claim 21, wherein the angle of inclination is between 1 and 20 degrees.

[c24] (Withdrawn) The apparatus of claim 21, wherein the support is formed integrally as part of a piece of footwear.

[c25] (Withdrawn) The apparatus of claim 21, wherein a concave depression is formed in the first and second upper surfaces.

- [c26] (Withdrawn) The apparatus of claim 21, further comprising at least one fastener.
- [c27] (Withdrawn) The apparatus of claim 26, wherein the at least one fastener comprises a plurality of bands disposed adjacent the first and second upper surfaces.
- [c28] (Withdrawn) The apparatus of claim 26, wherein the at least one fastener comprises a sheath disposed adjacent the first and second upper surfaces.
- [c29] (Withdrawn) The apparatus of claim 21, wherein a valgus angled grade between 1 and 45 degrees is formed in the second upper surface.
- [c30] (Withdrawn) The apparatus of claim 29, wherein a valgus angled grade between 1 and 45 degrees is formed in the first upper surface.
- [c31] (Withdrawn) The apparatus of claim 30, wherein a concave depression is formed in the first and second upper surfaces.
- [c32] (Withdrawn) The apparatus of claim 21, wherein a varus angled grade between 1 and 45 degrees is formed in the second upper surface.
- [c33] (Withdrawn) The apparatus of claim 32, wherein another varus angled grade between 1 and 45 degrees is formed in the first upper surface.
- [c34] (Withdrawn) The apparatus of claim 33, wherein a concave depression is formed in the first and second upper surfaces.
- [c35] (Withdrawn) The apparatus of claim 21, wherein a convex contour is formed along a medial edge.
- [c36] (Withdrawn) The apparatus of claim 35, wherein a concave contour is formed along a lateral edge.

[c37] (Withdrawn) The apparatus of claim 35, wherein a convex contour is formed along a lateral edge.

[c38] (Withdrawn) The apparatus of claim 35, wherein a serpentine contour is formed along a lateral edge.

[c39] (Withdrawn) The apparatus of claim 21, wherein an angled grade is formed along a lateral edge.

[c40] (Currently Amended) A method for improving stability of a foot during ambulation, comprising:

providing a wedge having a first upper surface, a second upper surface, and a bottom surface, <sup>entire</sup> wherein the ~~wedge~~ <sup>part</sup> is <sup>entire wedge does negative limitation</sup> located forward of the center of a first metatarsal; and

<sup>direction</sup> elevating a proximal phalanx to a predetermined angle of inclination using the wedge, relative to a the first metatarsal.

[c41] (Original) The method of claim 40, wherein the angle of inclination is between approximately 1 and 60 degrees.

[c42] (Original) The method of claim 40, wherein the angle of inclination is between approximately 1 and 20 degrees.

[c43] (Withdrawn) The method of claim 40, further comprising fixing the bottom surface of the wedge to a piece of footwear.

[c44] (Withdrawn) The method of claim 40, further comprising fixing the wedge to the toe.

- [c45] (Withdrawn) The method of Claim 40, further comprising fixing the wedge to the toe using a plurality of bands.
- [c46] (Withdrawn) The method of claim 40, further comprising fixing the wedge to the toe using a sheath.
- [c47] (Withdrawn) The method of claim 40, further comprising declining a distal phalanx to a predetermined angle of declination along the second upper surface.
- [c48] (Withdrawn) The method of claim 40, further comprising angling the second upper surface in a valgus orientation.
- [c49] (Withdrawn) The method of claim 48, further comprising angling the first upper surface in a valgus orientation.
- [c50] (Withdrawn) The method of claim 49, further comprising forming a concave depression in the first and second upper surfaces.
- [c51] (Withdrawn) The method of claim 49, further comprising fixing the valgus orientation of the upper surfaces between 1 and 45 degrees.
- [c52] (Withdrawn) The method of claim 40, further comprising angling the second upper surface in a varus orientation.
- [c53] (Withdrawn) The method of claim 52, further comprising angling the first upper surface in a varus orientation.
- [c54] (Withdrawn) The method of claim 53, further comprising forming a concave depression in the first and second upper surfaces.
- [c55] (Withdrawn) The method of claim 53, further comprising fixing the varus orientation of the upper surfaces between 1 and 45 degrees.